



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

February 13, 2017

CERTIFIED MAIL NO. 9171 9690 0935 0123 5448 39

Mr. Matthew Gordon
Sunoco Pipeline, L.P.
535 Fritztown Road
Sinking Spring, PA 19608

Re: Erosion and Sediment Control (E&S) Permit
PA Pipeline Project/Mariner East II
E&S Permit No. ESG0300015002
Berks, Blair, Cumberland, Dauphin, Huntingdon,
Juniata, Lancaster, Lebanon, Perry & York
Counties

Dear Mr. Gordon:

In compliance with the provisions of the Pennsylvania Clean Streams Law, as amended, 35 P.S. §§ 691.1 et seq., the Department of Environmental Protection (DEP) hereby approves your application for an Erosion and Sediment Control Permit (E&S Permit) for the PA Pipeline Project/Mariner East II project. Your permit is enclosed. DEP has made a determination that the earth disturbances proposed in your Notice of Intent (NOI) for coverage under the ESCGP-2 general permit are most appropriately addressed through an individual permit and has therefore treated your NOI submission as an application for an individual permit.

The permit is effective on February 13, 2017 and will expire on February 12, 2022. You must comply with all conditions of the permit in accordance with Sections 402 and 611 of The Clean Streams Law (35 P.S. §§ 691.402 and 691.611).

Please be advised that you are not authorized to commence construction that will result in earth disturbances until a pre-construction meeting is held in accordance with Part C VI of the permit and 25 Pa. Code § 102.5(e). The purpose of this meeting is to review all aspects of the E&S Permit with the permittee, co-permittees, operators, consultants, the DEP inspectors and licensed professionals or their designees who will be responsible for the implementation of the critical stages of the approved post-construction stormwater management (PCSM)/restoration plan.

In addition to the E&S permit authorization, the permittee and any subsequent co-permittees have additional responsibilities related to this authorization. E&S Permit requirements and state regulations require that operators who are not the permittee shall be a co-permittee. Please be advised that once an operator/contractor has been selected for the project, the E&S Permit must either be transferred to the operator/contractor or the operator/contractor must be made a co-

permittee and enter into an agreement with the permittee. Please use the enclosed Transferee/Co-Permittee Application form to transfer the permit or to add a co-permittee. This form must be received by DEP prior to the co-permittee/transferee action taking place.

As part of the operation and maintenance of best management practices (BMPs), the permittee or co-permittee(s) must conduct inspections of the BMPs on a weekly basis, at a minimum, and after each measurable storm event to include the repair or replacement of BMPs to ensure effective and efficient operation (see Part A III.C of the permit). The Visual Site Inspection Report Form is enclosed and must be used to document these required site inspections.

For any property containing a PCSM BMP, the permittee or co-permittee shall record an instrument with the recorder of deeds which will assure disclosure of the PCSM BMP and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance for PCSM BMPs and provide notice that the responsibility for long term operations and maintenance of the PCSM BMP is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees. Unless a later date is approved by DEP in writing, the permittee shall record an instrument as required under 25 Pa. Code § 102.8(m)(2) and Part C XII of the permit within 45 days from the date of issuance of this permit. The permittee shall provide DEP and the conservation district with the date and place of recording along with a reference to the docket, deed book or other record, within 90 days from the date of issuance of this permit or authorization.

The Notice of Termination (NOT) form is also enclosed and must be completed and filed when construction activities have ceased and final stabilization has been achieved as a condition of this E&S Permit as specified in Part B I.B of the permit. The NOT is an E&S Permit requirement, as well as a regulatory requirement under 25 Pa. Code Chapter 102 §102.7. The NOT must identify the responsible person(s) for the long term operation and maintenance of the PCSM BMPs. Please be advised that the permittee and any co-permittees remain responsible for all operational maintenance for this project site until the NOT has been filed and acknowledged by DEP or the conservation district.

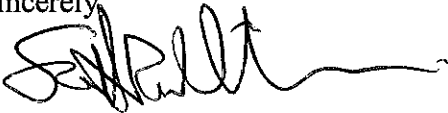
Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

If you have any questions, please contact Mr. Nathan Crawford at 717.705.4798.

Sincerely,



Scott Williamson
Environmental Program Manager
Southcentral Regional Office

cc: Mr. Robert Simcik, P.E., Tetra Tech
Berks County Conservation District
Blair County Conservation District
Cumberland County Conservation District
Dauphin County Conservation District
Huntingdon County Conservation District
Juniata County Conservation District
Lancaster County Conservation District
Lebanon County Conservation District
Perry County Conservation District
York County Conservation District
Brecknock, Caernarvon, Cumru, Robeson, South Heidelberg & Spring Townships and
New Morgan Borough, Berks County
Allegheny, Blair, Frankstown, Juniata & Woodbury Townships, Blair County
Lower Allen, Lower Frankford, Lower Mifflin, Middlesex, Monroe, North Middleton,
Silver Spring, Upper Allen & Upper Frankford Townships, Cumberland County
Conewago, Derry, Londonderry & Lower Swatara Townships and Highspire &
Middletown Boroughs, Dauphin County
Penn, Shirley, Tell & Union Townships, Huntingdon County
Lack Township, Juniata County
Clay & West Cocalico Township, Lancaster County
Heidelberg, South Annville, South Lebanon, South Londonderry & West Cornwall
Townships and Cornwall Borough, Lebanon County
Jackson & Toboyne Townships, Perry County
Fairview Township, York County

Attachments

bcc: Aneca Atkinson, DEP Bureau of Clean Water
Sean Furjanic, DEP Bureau of Clean Water
Ann Roda, Office of Program Integration
William Himes, DEP ADO (pdf)
Nate Crawford (pdf)
Ed Muzic (pdf)
S. Williamson (pdf)
D. Rocco, DEP SERO (pdf)
C. Smith, DEP SERO (pdf)
G. Holesh, DEP SWRO (pdf)
File
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Mr. Robert Simcik, P.E.
Tetra Tech
661 Anderson Drive
Foster Plaza 7
Pittsburgh, PA 15220



**EROSION AND SEDIMENT CONTROL (E&S) PERMIT
FOR EARTH DISTURBANCE ASSOCIATED WITH OIL AND GAS EXPLORATION,
PRODUCTION, PROCESSING, OR TREATMENT OPERATIONS
OR TRANSMISSION FACILITIES**

E&S PERMIT NUMBER: ESG0300015002

In compliance with the provisions of Pennsylvania's Clean Streams Law, as amended, 35 P.S. §§ 691.1 *et seq.*, 58 Pa.C.S. §§ 3201-3274 (2012 Oil and Gas Act) and regulations promulgated thereto, including 25 Pa Code Chapters 78.93 and 102, and sections 1905-A, 1917-A and 1920-A of the Administrative Code of 1929, 71 P. S. §§ 510-5, 510-17 and 510-20, earth disturbances associated with oil and gas activities are authorized for the project identified below, in accordance with the application submitted to the Department of Environmental Protection (DEP) and accompanying plans and additional information, as revised, subject to the requirements specified herein.

<u>Project Name and Location(s)</u>	<u>Permittee Name and Address</u>
<p>PA Pipeline Project / Mariner East II Counties: Berks, Blair, Cumberland, Dauphin, Huntingdon, Juniata, Lancaster, Lebanon, Perry & York</p>	<p>Sunoco Pipeline, L.P. 535 Fritztown Road Sinking Spring, PA 19608</p>

**THIS PERMIT SHALL BECOME EFFECTIVE ON FEBRUARY 13, 2017
AND SHALL EXPIRE ON FEBRUARY 12, 2022.**

The authority granted by this permit is subject to the following further qualifications:

1. This permit is issued for earth disturbances associated with oil and gas activities subject to the use of erosion and sediment control (E&S) and post-construction stormwater management (PCSM) best management practices (BMPs) to control discharges composed entirely of stormwater to surface waters identified in the application. Authorization to discharge is subject to implementation of the plans and additional information submitted as part of the application. This permit incorporates by reference the application and any other attachments, reports, plans, plan drawings, supplements, and other materials submitted by the applicant, as revised.
2. Any construction or earth disturbance activities that are not presented on the plans submitted in support of the application are not authorized by the permit. A request to modify this permit must be submitted by the permittee and approved by DEP before the permittee may commence any construction or earth disturbance activities that are not included in the information submitted in support of the application.
3. Earth disturbance activities conducted in accordance with the terms and conditions herein may commence on the effective date of this permit or the date other necessary permits and authorizations are obtained, whichever occurs later.
4. Coverage under this permit may be extended by DEP or an authorized conservation district if a timely and administratively complete application for renewal is submitted at least 180 days prior to the permit expiration date.
5. DEP may terminate this permit prior to the expiration date upon notice. The permittee may request termination of the permit prior to the expiration date through the submission of an acceptable Notice of Termination (NOT).
6. No condition of this permit shall release the permittee(s) from any responsibility or requirement under Pennsylvania's statutes or regulations or local ordinances.

DATE PERMIT ISSUED: FEBRUARY 13, 2017

ISSUED BY: 

Scott Williamson
Environmental Program Manager
Waterways and Wetlands Program
DEP Southcentral Regional Office

PART A

EFFLUENT LIMITATIONS, MONITORING, AND REPORTING REQUIREMENTS

I. DEFINITIONS

Accelerated erosion – The removal of the surface of the land through the combined action of human activities and the natural processes, at a rate greater than would occur because of the natural process alone.

BMPs – Best Management Practices – Activities, facilities, measures, planning, or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim and restore the quality of waters, and existing and designated uses of waters of the Commonwealth before, during, and after earth disturbance activities.

Conservation District – A Conservation District, as defined in Section 3(c) of the Conservation District Law (3 P.S. § 851(c), as amended) that has the authority under a delegation agreement executed with DEP to administer and enforce all or a portion of the erosion, sediment, and stormwater management program in the Commonwealth of Pennsylvania (also referred to as “authorized conservation district”).

Co-Permittee/Permittee – Person(s) identified in this permit as responsible for the discharges of stormwater associated with construction activity who is jointly and individually responsible together with the permittee for compliance with all conditions of this permit and applicable laws.

Critical stages – The installation of underground treatment BMPs, structurally engineered BMPs, or other BMPs as deemed appropriate by the Department or the conservation district.

Earth disturbance activity – A construction or other human activity which disturbs the surface of the land, including land clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, operation of animal heavy use areas, timber harvesting activities, road maintenance activities, oil and gas activities, well drilling, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock, or earth materials.

Erosion – The natural process by which the surface of the land is worn away by water, wind, or chemical action.

E&S Plan – Erosion and Sediment Control Plan– A site-specific plan consisting of both drawings and a narrative that identifies BMPs to minimize accelerated erosion and sedimentation before, during, and after earth disturbance activities.

Forested riparian areas – Areas that consist of permanent vegetation that is predominantly native trees, shrubs, and forbs along surface waters.

Licensed professional – Professional engineers, landscape architects, geologists and land surveyors licensed to practice in the Commonwealth.

Long-term operation and maintenance – The routine inspection, maintenance, repairs, or replacements, of a BMP to ensure proper function for the duration of time that the BMP is needed.

Municipality – A county, city, borough, town, township, school district, institution or authority or another public body created by or pursuant to State Law. For the purposes of this definition, town includes an incorporated town.

NOT – Notice of Termination – A request, on a form provided by the Department, to terminate coverage under an erosion and sedimentation control general permit for earth disturbances associated with oil and gas exploration, production, processing or treatment operations or transmission facilities.

Oil and gas activities - Earth disturbance associated with oil and gas exploration, production, processing or treatment operations or transmission facilities.

Operator – A person who has one or more of the following:

- Oversight responsibility of earth disturbance activity on a project site or a portion thereof, who has the ability to make modifications to the E&S Plan, PCSM Plan, or site specifications.
- Day-to-day operational control over earth disturbance activity on a project site or a portion thereof to ensure compliance with the E&S Plan or PCSM plan.

Owner – A person or persons who hold legal title to the land subject to construction activity. This term also includes the person(s) who held legal title to the land subject to construction activity at the time such activity was commenced on a site.

PCSM / SR Plan – Post-Construction Stormwater Management Plan / Site Restoration – A site-specific plan consisting of both drawings and a narrative that identifies BMPs to manage changes in stormwater runoff volume, rate, and water quality after earth disturbance activities have ended and the project site is permanently stabilized.

Permanent stabilization – Long-term protection of soil and water resources from accelerated erosion.

Person – Any operator, individual, public or private corporation, partnership, association, municipality or political subdivision of this Commonwealth, institution, authority, firm, trust, estate, receiver, guardian, personal representative, successor, joint venture, joint stock company, fiduciary; Department agency or instrumentality of State, Federal or local government, or an agent or employee thereof; or any other legal entity. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine or imprisonment or both, the term "person" shall not exclude the members of an association and the directors, officers, or agents of a corporation.

Point Source - Any discernable, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, Concentrated Animal Feeding Operation, landfill leachate collection system, or vessel or other floating craft, from which pollutants are or may be discharged.

Post-construction stormwater – Stormwater associated with a project site after the earth disturbance activity has been completed and the project site is permanently stabilized.

PPC Plan – A written plan that identifies an emergency response program, material and waste inventory, spill and leak prevention and response, inspection program, housekeeping program, security and external factors, and that is developed and implemented at the construction site to control potential discharges of pollutants other than sediment into waters of the Commonwealth.

Project site – The entire area of activity, development, lease or sale including:

- The area of the earth disturbance activity.
- The area planned for the earth disturbance activity.
- Other areas which are not subject to earth disturbance activity.

Stabilization – The proper placing, grading, constructing, reinforcing, lining, and covering of soil, rock, or earth to ensure their resistance to erosion, sliding, or other movement.

Stormwater – Runoff from precipitation, snow melt runoff, surface runoff and drainage.

Surface Waters – Perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds and constructed wetlands used as part of a wastewater treatment process.

Total Maximum Daily Load (TMDL) – The sum of individual waste load allocations for point sources, load allocations for nonpoint sources and natural quality and a margin of safety expressed in terms of mass per time, toxicity or other appropriate measures.

Transferee – Person(s) identified through the co-permittee/transferee form as having new responsibility for the discharges of stormwater during construction activities and responsibility for compliance with all conditions of this permit and all applicable laws for discharges of stormwater during the earth disturbance activity.

Wasteload Allocation (WLA) – The portion of a surface water's loading capacity that is allocated to existing and future point source discharges.

Waters of the Commonwealth – Rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Wetlands – Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

II. EFFLUENT LIMITATIONS

- A. BMPs – Except as required by 25 Pa. Code §102.11(c), this permit establishes narrative performance-based effluent limitations in the form of BMPs identified in E&S Plans, PCSM Plans, and PPC Plans, which control the volume, rate, and quality of stormwater runoff and associated pollutants from being discharged into surface waters, and which replicate pre-construction infiltration and runoff conditions to the maximum extent practicable.
1. Operators of all earth disturbance activities shall implement and maintain E&S and PCSM BMPs and other pollution prevention measures required by this permit to minimize accelerated erosion and sedimentation before, during, and after construction activities.
 2. E&S BMPs shall be implemented to meet the standards and specifications identified in DEP's regulations, including 25 Pa. Code § 102.4 (relating to Erosion and Sediment Control requirements) and 102.11(a)(1) (relating to general requirements), and identified in DEP's *Erosion and Sediment Pollution Control Program Manual* (363-2134-008) as amended and updated, or an approved alternative that is at least as effective.
 3. PCSM BMPs shall be implemented to meet the standards and specifications identified in DEP's regulations, including 25 Pa. Code § 102.8 (relating to PCSM requirements) and 102.11(a)(2), and identified in DEP's *Pennsylvania Stormwater Best Management Practices Manual* (363-0300-002), as amended and updated, or an approved alternative that is as at least as effective.
 4. The E&S Plan, PCSM Plan, and PPC Plan shall identify appropriate BMPs that will be implemented to ensure that existing and designated uses of surface waters are protected and maintained.
 5. The permittee or co-permittee shall maintain the E&S Plan, PCSM Plan, PPC Plan, and other documents required by this permit at the project site and shall make these documents available for review by DEP, an authorized conservation district, or other authorized local, state, or federal agent or representative.
 6. Discharges to surface waters identified as impaired waters must be managed with non-discharge and/or ABACT BMPs.
- B. Applicable Effluent Limitations – Activities covered under this permit must comply with applicable effluent limitations established in 25 Pa. Code Chapters 91, 93, 96, 102, and 105 and any applicable federal law or regulation.
- C. Water Quality Based Effluent Limitations – Water quality based effluent limitations are applicable to activities conducted under this permit when required under applicable state and federal law or regulation to ensure that the water quality standards of the receiving water are attained. Activities conducted under this permit shall not result in a violation of such water quality standards.

III. MONITORING, INSPECTION, AND REPORTING REQUIREMENTS

A. Monitoring.

DEP or the authorized conservation district may require monitoring of stormwater discharges and/or disturbed soils where an increased risk of potential pollution is present, or pollution is suspected to be occurring from an earth disturbance activity subject to this permit. The permittee or co-permittee shall commence such monitoring upon receipt of written notification from DEP or an authorized conservation district in accordance with the instructions set forth in the notification.

B. Test Procedures.

Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those contained in 40 CFR Part 136, alternate test procedures approved pursuant to that part, or other alternate procedures approved by DEP.

C. Visual Inspections.

1. The permittee and co-permittee(s) shall visually inspect the project site weekly, at a minimum, and within 24 hours of the conclusion of each measurable (> 0.1 inch) storm event throughout the duration of earth disturbance and until the permittee and co-permittee(s) receive acknowledgement of the NOT from DEP or an authorized conservation district. The visual site inspections shall be conducted by qualified personnel, trained and experienced in erosion and sediment control.
2. Each inspection must include an evaluation of E&S, PCSM and PPC BMPs, as applicable, to determine whether the BMPs are adequate and properly implemented in accordance with the terms of this permit or whether additional control measures are needed. If needed, such measures shall be implemented and immediately and DEP and the authorized conservation district shall be notified.
3. Each inspection must include an evaluation of equipment needed to implement E&S, PCSM, and PPC Plans, such as spill response equipment, as applicable.
4. The permittee shall document all visual inspections on an inspection report form that is provided by DEP. In addition to the information required above, the permittee shall document the date, time, name and signature of the person(s) conducting the inspection. All inspection reports shall be made available on the project site for review by DEP and an authorized conservation district.
5. If the permittee discovers conditions in the field that pose a threat of pollution to waters of the Commonwealth, the permittee shall temporarily stabilize the site and cease earth disturbance activities. Thereafter the permittee shall submit a plan and schedule to DEP for review and approval to resume earth disturbance activities while protecting waters of the Commonwealth. The permittee shall implement the plan upon DEP's approval.

D. Licensed Professional Oversight of Critical Stages.

A licensed professional or a designee shall be present on-site and responsible during critical stages of implementation of the approved PCSM Plan. The critical stages may include the installation of underground treatment or storage BMPs, structurally engineered BMPs, or other BMPs as deemed appropriate by DEP or the authorized conservation district.

E. Noncompliance Reporting.

Where E&S, PCSM or PPC BMPs are found to be inoperative or ineffective during an inspection or any other time the permittee becomes aware of any incident causing or threatening pollution as described in 25 Pa. Code § 91.33 (relating to incidents causing or threatening pollution), the permittee and co-permittee(s) shall, within 24 hours, contact the Department or authorized conservation district, by phone or personal contact, followed by the submission of a written report within five (5) days of the initial contact. Noncompliance reports shall include the following information:

1. Any condition on the project site which may endanger public health, safety, or the environment, or involve incidents which cause or threaten pollution.
2. The period of noncompliance, including exact dates and times and/or anticipated time when the activity will return to compliance.
3. Steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
4. The date or schedule of dates, and identifying remedies for correcting noncompliance conditions.

Additionally, when BMPs are found to be inoperative or ineffective, a licensed professional shall be consulted to ensure BMP adequacy, as designed.

F. Availability of Reports.

Except for data determined to be confidential under Section 607 of the Clean Streams Law, all reports and other information prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate DEP Regional Office or authorized conservation district office.

IV. RECORD KEEPING

A. Recording of Results.

For each measurement or sample taken pursuant to the requirements of this permit, the permittee or co-permittee shall record the following information:

- The exact place, date and time of sampling or measurements.
- The person(s) who performed the sampling or measurements.
- The dates the analyses were performed.
- The person(s) who performed the analyses.
- The analytical techniques or methods used.
- The results of such analyses.

B. Retention of Records.

The permittee and co-permittee(s) shall retain records of all monitoring information including copies of all monitoring and inspection reports required by this permit, all monitoring information (including site log book, calibration and maintenance records) and records of data used to complete the application for this permit, for a period of three years from the date of the termination of coverage under this permit. This period of retention must be extended during the course of any unresolved compliance, enforcement, or litigation or when requested by DEP or an authorized conservation district.

C. Reporting of Monitoring Results.

Visual inspection monitoring results shall be submitted to DEP or an authorized conservation district upon request.

PART B

STANDARD CONDITIONS

I. MANAGEMENT REQUIREMENTS

A. Permit Modification, Termination, or Revocation and Reissuance.

1. If changes to site conditions or the design have the potential to increase runoff, the permittee shall contact DEP to evaluate whether a permit modification is required. The permittee shall manage any increase in stormwater rate, volume or quality by adding appropriate BMPs.
2. This permit may be modified, suspended, revoked, reissued, or terminated during its term for any of the causes specified in 25 Pa. Code Chapter 102 (relating to erosion and sediment control), or to require compliance with updated effluent limitation guidelines, water quality standards, impaired water listings, or new TMDLs, including but not limited to, the following.
 - Violation of any terms or conditions of the permit.
 - Obtaining a permit by misrepresentation or failure to discuss fully all relevant facts.
 - A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
3. The filing of a request by the permittee or co-permittee for a permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated non-compliance, does not stay any permit condition.
4. Permit modification or revocation will be conducted according to 25 Pa. Code Chapter 102.

B. Notice of Termination.

1. Termination of Coverage.

- a. Upon permanent stabilization of earth disturbance activity under 25 Pa. Code § 102.22(a)(2) (relating to permanent stabilization) and installation of BMPs in accordance with the approved plan prepared and implemented in accordance with 25 Pa. Code §§ 102.4 and 102.8, the permittee and/or co-permittee shall submit a NOT to DEP or an authorized conservation district. The NOT must include:
 - The facility name, address, and location;
 - The operator name and address;
 - The permit number;
 - The reason for the permit termination; and
 - Identification of the persons who have agreed to and will be responsible for the long-term operation and maintenance of PCSM BMPs.
- b. Until the permittee or co-permittee has received written approval of the NOT, the permittee or co-permittee will remain responsible for compliance with the permit terms and conditions, including long-term operation and maintenance of all PCSM BMPs on the project site in accordance with 25 Pa. Code § 102.8(m). DEP or an authorized conservation district may conduct a follow up inspection and approve or deny the NOT within 30 days of receipt in accordance with 25 Pa. Code § 102.7(c) (relating to permit termination).

2. Final Certification.

- a. The permittee shall enclose with the NOT "Record Drawings" along with a final, signed certification statement from a licensed professional, which shall read as follows:

"I (name) do hereby certify pursuant to the penalties of 18 Pa. C.S.A. § 4904 to the best of my knowledge, information, and belief, that the accompanying record drawings accurately reflect the as built

conditions, are true and correct, and are in conformance with Chapter 102 of the rules and regulations of the Department of Environmental Protection and that the project site was constructed in accordance with the approved PCSM Plan, all approved plan changes, and accepted construction practices.”

- b. The permittee shall retain a copy of the record drawings as part of the approved PCSM Plan. The permittee shall also provide a copy of the record drawings as part of the approved PCSM Plan to the persons identified as responsible for the long term operation and maintenance of PCSM BMPs. Permittees shall also provide copies of both the record drawings and the long-term operation and maintenance plan to the Department, authorized conservation district, and municipality.

C. Duty to Provide Information.

1. The permittee or co-permittee(s) shall furnish to DEP or an authorized conservation district within thirty (30) days of the date of request, any information that DEP or an authorized conservation district may request to determine whether cause exists for modifying, revoking, reissuing, or terminating this permit or coverage approved under this permit or to determine compliance with this permit.
2. The permittee or co-permittee shall furnish, upon request, to DEP or an authorized conservation district, copies of records required to be kept by this permit.
3. When the permittee or co-permittee becomes aware that they failed to submit any relevant facts or submitted incorrect information in the application, E&S Plan, PCSM Plan, or PPC Plan or in any other report to DEP or an authorized conservation district, the permittee or co-permittee shall within 24 hours of becoming aware of the deficiency submit or correct such facts or information.
5. The permittee or co-permittee shall give seven (7) calendar days' advance notice to DEP or an authorized conservation district of any planned physical alterations or additions to the permitted facility which could, in any way, substantially affect the quality and/or quantity of stormwater discharged from the activity.

D. Signatory Requirements.

Documents required, submitted, or maintained under this permit shall be signed in accordance with the following:

1. Notices of Intent, Transferee/Co-permittee Form, and Notices of Termination.
 - a. Corporations: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production, or operating facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. Partnerships or sole proprietorships: a general partner or the proprietor, respectively.
 - c. Municipalities, state, federal, or other public agencies: either a principal executive officer or ranking elected official such as: (1) the chief executive officer or secretary of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., PennDOT District Executive).
2. All reports, plans, documents, and other information required by the permit or requested by DEP or an authorized conservation district shall be signed by a duly authorized representative of the permittee.
3. If there is a change in the duly authorized representative of the permittee or co-permittee, the permittee or co-permittee shall notify DEP or an authorized conservation district within thirty (30) days of the change.

E. Transfer of Ownership or Control.

1. This permit is not transferable to any person except after notice and acknowledgment by DEP or an authorized conservation district.

- a. In the event of any pending change in control or ownership of facilities, the permittee or co-permittee shall notify DEP or an authorized conservation district using the form entitled "Transferee/Co-permittee Application" of such pending change prior to the change in ownership or control.
 - b. The Transferee/Co-permittee Application form shall be accompanied by a written agreement between the existing permittee and the new owner or operator stating that the existing permittee shall be liable for violations of the permit up to and until the date of coverage transfer and that the new owner or operator shall be jointly and individually liable for permit violations under the permit from that date on.
 - c. After receipt of an administratively complete and acceptable Transferee/Co-permittee Application form, DEP or an authorized conservation district shall notify the existing permittee and the new owner or operator of its decision concerning approval of the transfer of ownership or control. Such requests shall be deemed approved unless DEP or an authorized conservation district notifies the applicant otherwise within thirty (30) days. For the purposes of this permit, this modification is considered to be a minor permit modification.
2. For purposes of this permit, operators shall include general contractors. If prior to construction activities, the owner is the permittee and an operator/general contractor is later identified to become a co-permittee, the owner shall:
 - a. Notify DEP or an authorized conservation district by submitting an administratively complete and acceptable Transferee/Co-permittee Application form; and
 - b. Ensure that monitoring reports and any other information requested under this permit shall reflect all changes to the permittee and the co-permittee name.
 3. Upon authorization of a change in ownership or control, the existing permittee shall provide a copy of the permit and approved plans to the new owner and/or co-permittee.

F. Removed Substances.

Solids, sediments, and other pollutants removed in the course of treatment or control of stormwater shall be disposed in accordance with federal and state law and regulations, in order to prevent any pollutant in such materials from adversely affecting the environment.

G. BMP Construction, Operation and Maintenance.

The permittee and co-permittee(s) are responsible for the design, installation, operation, and maintenance of the BMPs identified in the E&S Plan, PCSM Plan, and PPC Plan.

H. Adverse Impact.

The permittee and co-permittee(s) shall take all reasonable steps to prevent, minimize, or cease any discharge in violation of this permit.

I. Reduction, Loss, or Failure of BMP.

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Upon reduction, loss, or failure of any BMP, the permittee and co-permittee shall take immediate action to restore, repair, or replace the BMP or provide an alternative method of treatment. Such restored BMP or alternative treatment shall be at least as effective as the original BMP when properly installed. These actions should be undertaken to ensure that there are no pollutional discharges to the waters of the Commonwealth. This requirement is applicable in situations where the BMP is rendered ineffective, whether the cause or source of the reduction, loss or failure is within or beyond the control of the permittee or co-permittee.

II. COMPLIANCE RESPONSIBILITIES

A. Duty to Comply.

The permittee and co-permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the Pennsylvania Clean Streams Law and is grounds for enforcement action; for permit termination, revocation, reissuance, or modification; or for denial of a permit or permit renewal.

B. Penalties for Violations of Permit Conditions.

Any person who violates a permit condition, fails to take corrective action to abate violations or falsifies report or other documents may be subject to criminal and/or civil penalties or other appropriate action for violations of the terms and conditions of this permit under Sections 602 and 605 of the Clean Streams Law (35 P.S. §§ 691.602 and 691.605), which are incorporated by reference.

C. Need to Halt or Reduce Activity Not a Defense.

The permittee and/or co-permittee may not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

D. Penalties and Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee or co-permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject.

E. Property Rights.

This permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

F. Severability.

The provisions of this permit are severable; and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

G. Other Laws.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee or co-permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

H. Right of Entry

Pursuant to Sections 5(b) and 305 of the Pennsylvania Clean Streams Law (35 P.S. §§ 691.5(b) and 691.305), and Section 1917-A of the Administrative Code of 1929, the permittee and co-permittee shall allow the Director of DEP, and/or an authorized representative of DEP, conservation district or, in the case of a facility which discharges to a municipal separate storm sewer, an authorized representative of the municipal operator of the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents, as may be required by law, to:

1. Enter upon the permittee's or co-permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit.
3. Inspect any facilities or equipment (including monitoring and control equipment).
4. Observe or sample any discharge of stormwater.

I. Availability of Reports.

Except for data determined to be confidential under Section 607 of the Clean Streams Law (35 P.S. § 691.607), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of DEP or authorized conservation district. As required by the Clean Streams Law, permit applications, permits, and other documents related to this permit shall not be considered confidential.

J. Penalties for Falsification of Reports.

Any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance is subject to criminal sanctions as set forth for false swearing and unsworn falsification at 18 Pa. C.S. §§ 4903-4904 and Section 611 of the Clean Streams Law (35 P.S. § 691.611).

K. The permittee or co-permittee shall contact DEP or an authorized conservation district for clarification of any requirements contained in the E&S Plan, PCSM Plan, PPC Plan, or other documents related to this permit.

PART C**OTHER REQUIREMENTS****I. PROHIBITED DISCHARGES**

- A. All discharges covered by this permit shall be composed entirely of stormwater. Discharges of substances other than stormwater must be in compliance, when required, with an NPDES permit (other than this permit) issued for the discharge. Discharges of sewage or industrial waste to waters of the Commonwealth or a BMP is not permitted.
- B. The permittee or co-permittee(s) may not discharge floating materials, oil, grease, scum, foam, sheen, and substances which: produce odor, taste, or turbidity or settle to form deposits in concentrations or amounts sufficient to be, or create a danger of being, inimical to the water uses to be protected or human, animal, plant, or aquatic life.

II. EROSION AND SEDIMENT CONTROL (E&S) PLANS

- A. The permittee shall implement its approved E&S Plan, including all BMPs contained therein. The E&S Plan is incorporated into this permit.
- B. E&S Plans required under this permit are considered reports that shall be available to the public under Section 607 of the Clean Streams Law (35 P.S. § 691.607). The owner or operator of a facility with stormwater discharges covered by this permit shall make E&S Plans available to the public upon request. E&S Plans must be made available at the site of the construction activity at all times.
- C. The staging of earth disturbance activities and maintenance requirements contained in the approved E&S Plan must be followed.
- D. Upon the installation or stabilization of all perimeter sediment control BMPs and at least three (3) days prior to proceeding with the bulk earth disturbance activities, the permittee or co-permittee shall provide notification to DEP or an authorized conservation district.
- E. All manufactured BMPs, including erosion control matting and water quality devices, shall be installed and maintained in accordance with manufacturer's recommendations.
- F. General site clearing, grubbing and topsoil stripping shall not commence in any stage or phase of the project until the E&S BMPs specified by the E&S Plan for that stage or phase have been installed and are functioning as described in the E&S Plan.
- G. Regardless of slope, erosion control blankets shall be used for all seeded areas within 100 feet of a High Quality or Exceptional Value surface water. For all slopes that are 3H:1V or steeper or where potential exists for sediment pollution to receiving waters, erosion control blankets shall be used for all seeded areas within 50 feet of a surface water.
- H. In accordance with the E&S and Site Restoration Plans, measures shall be taken to ensure that proper soil de-compaction occurs for all areas of site restoration for the project. The permittee shall implement such measures in accordance with the guidance on soil restoration in the PA Stormwater BMP Manual (BMP 6.7.3, Chapter 6, page 221).
- I. Where compost filter sock is necessary to elevate the pumped water filter bag to an ABACT E&S BMP, the compost filter sock shall be placed to sufficient length to manage all flow from the pumped water filter bag.
- J. For all discharges from the project site associated with earth disturbance activities, the permittee shall implement, maintain, repair and if necessary replace BMPs to minimize the potential for accelerated erosion and sedimentation and to protect, maintain, reclaim and restore water quality and existing and designated uses.

III. POST-CONSTRUCTION STORMWATER MANAGEMENT (PCSM) PLANS

- A. The permittee shall implement its approved PCSM Plan, including all BMPs contained therein. The PCSM Plan is incorporated into this permit.
- B. PCSM Plans required under this permit are considered reports that shall be available to the public under Section 607 of the Clean Streams Law (35 P.S. § 691.607). The owner or operator of a facility with stormwater discharges covered by this permit shall make PCSM Plans available to the public upon request. The PCSM Plans must be made available at the site of the construction activity at all times.
- C. A licensed professional or their designee shall be present on-site and be responsible for oversight of critical stages of implementation of the approved PCSM Plan. The licensed professional will be responsible to provide a final certification, pursuant to 25 Pa. Code § 102.8(l) along with the required NOT and record drawings, indicating that the project site was constructed in accordance with the approved or modified PCSM Plan.
- D. The PCSM Plan must be consistent with the assumptions and requirements of any available WLAs for the discharges as set forth in any applicable TMDLs established for the receiving waters.
- E. The portion of a site reclamation or restoration plan that identifies PCSM BMPs to manage stormwater from pipelines or other similar utility infrastructure may be used to satisfy the PCSM requirements if the PCSM reclamation, or restoration plan meets the requirements of 25 Pa. Code § 102.8(b), (c), (e), (f), (h), (i) and (l), and when applicable, (m).
- F. All manufactured BMPs, including erosion control matting and water quality devices, shall be installed and maintained in accordance with manufacturer's recommendations.
- G. In accordance with the E&S and Site Restoration Plans, measures shall be taken to ensure that proper soil de-compaction occurs for all areas of site restoration for the project. The permittee shall implement such measures in accordance with the guidance on soil restoration in the PA Stormwater BMP Manual (BMP 6.7.3, Chapter 6, page 221).
- H. Upon reduction, loss, or failure of any PCSM BMP, the permittee shall immediately take measures to prevent pollution to waters of the Commonwealth and adverse impacts to the environment. The permittee shall immediately submit to DEP for review and approval a Corrective Action Plan (CAP) and, if necessary, a permit modification, which shall include a schedule for the repair and/or replacement of the PCSM BMP. Upon DEP's approval of the CAP, the permittee shall implement the CAP.
- I. The permittee shall implement PCSM BMPs as detailed in the approved PCSM Plan. Any changes to the PCSM Plan, including the introduction of alternate PCSM BMPs or the elimination of any approved PCSM BMPs, must be approved by DEP prior to the implementation of these changes.
- J. The PCSM Plan, inspection reports, and monitoring records shall be made available at the project site for review and inspection by DEP and the authorized conservation district.

IV. PREPAREDNESS, PREVENTION, AND CONTINGENCY (PPC) PLANS

- A. If toxic, hazardous, or other polluting materials will be on site, the permittee or co-permittee(s) must implement a PPC Plan for use while those materials are on-site in accordance with 25 Pa. Code § 91.34 (relating to activities utilizing pollutants). The PPC Plan shall identify areas which may include, but are not limited to, waste management areas, raw material storage areas, fuel storage areas, temporary and permanent spoils storage areas, maintenance areas, and any other areas that may have the potential to cause noncompliance with the terms and conditions of this permit due to the storage, handling, or disposal of any toxic or hazardous substances such as oil, gasoline, pesticides, herbicides, solvents, concrete washwaters, etc. BMPs shall be developed and implemented for each identified area.
- B. The PPC Plan shall be maintained on-site at all times and shall be made available for review at the request of DEP or an authorized conservation district.

V. RECYCLING AND DISPOSAL OF BUILDING MATERIALS AND WASTES

All building materials and wastes must be removed from the site and recycled or disposed in accordance with DEP's Solid Waste Management Regulations at 25 Pa. Code Chapter 260a (relating to hazardous waste management system: general), Chapter 271 (related to municipal waste management system – general provisions), and Chapter 287 (relating to residual waste management system – general provisions). No building material or wastes or unused building materials shall be burned, buried, dumped, or discharged at or from the site.

VI. PRE-CONSTRUCTION MEETINGS

For earth disturbance activities authorized by this permit, at least one pre-construction meeting is required. The permittee shall contact DEP to schedule the pre-construction meeting and provide at least seven (7) days' notice of the pre-construction meeting to all invited attendees, unless otherwise approved by DEP in writing. Permittees, co-permittees, operators, and licensed professionals, or designees responsible for earth disturbance activity, including implementation of E&S, PCSM and PPC Plans and critical stages of implementation of the approved PCSM Plan, shall attend the pre-construction meeting(s). Permittees, co-permittees, operators and licensed professionals are responsible for ensuring that all activities on the site comply with the requirements of the permit.

VII. SPOIL OR BORROW AREAS

- A. An E&S Plan or other authorization meeting the regulatory requirements detailed in 25 Pa. Code § 102.4(b) shall be received and approved by DEP or an authorized conservation district and implemented for all spoil and borrow areas, regardless of their locations.
- B. Clean Fill Requirements – Any person placing clean fill that has been affected by a spill or release of a regulated substance must use DEP Form FP-001 (Certification of Clean Fill) to certify the origin of the fill material and the results of the analytical testing to qualify the materials as clean fill. The form must be retained by the owner of the property receiving the fill. Fill material not qualifying as clean fill is regulated fill and must be managed in accordance with DEP's municipal or residual waste regulations based on 25 Pa. Code Chapters 271 or 287, whichever is applicable.

VIII. PHASED PROJECTS

Prior to the commencement of earth disturbance activities for subsequent phases of the project, the permittee or co-permittee shall submit an E&S Plan and PCSM Plan and supporting information for each additional phase or portion of the project to DEP or an authorized conservation district for approval. Coverage under this permit is only granted for those phases or portions of a project for which an E&S Plan and PCSM Plan has been submitted and approved by DEP or an authorized conservation district.

IX. WETLAND PROTECTION

If hydric soils or other wetland features are present, a wetland determination must be conducted in accordance with DEP procedures. A copy of the wetland determination shall be provided to DEP or an authorized conservation district as part of the application. All wetlands identified must be included on the E&S Plan and PCSM Plan. Special precautions must be taken to protect wetlands and other water resources identified in the application, plans, and other supporting documents.

X. INFILTRATION BMPs

- A. Where infiltration and/or restoration BMPs are being utilized, the permittee and co-permittee must ensure that soil compaction is avoided or minimized in those areas. If the areas planned for infiltration and/or restoration BMPs are compromised through compaction or other means, measures shall be taken to ensure that proper soil de-compaction occurs. The permittee shall implement such measures in accordance with the guidance on soil restoration in the PA Stormwater BMP Manual (BMP 6.7.3, Chapter 6, page 221). Additional soil testing must be performed to verify that the BMPs will perform as planned.

- B. To protect the effective infiltration area(s) at PCSM BMPs during construction activities (including earth disturbance and conversion or installation), the infiltration area(s) for a PCSM BMP shall be protected by entirely surrounding the infiltration area with an 18-inch compost filter sock. This is only necessary in those areas where specific infiltration BMPs are being utilized. The compost filter sock shall remain in place and be properly maintained until the contributing drainage area has reached permanent stabilization (a minimum uniform 70% perennial vegetative cover or other permanent non-vegetative cover with a density sufficient to resist accelerated erosion) and DEP or an authorized conservation district approves the removal of the and borrow areas, r.

XI. STABILIZATION

The time period between the trench excavation to the beginning of disturbed area stabilization for the main line pipeline installation shall not exceed thirty (30) calendar days, unless sufficient justification for an extension of time is provided to and approved by DEP in writing. Upon temporary cessation of any earth disturbance activity, including topsoil and soil stockpiles, for which the cessation of the earth disturbance activities will exceed four (4) calendar days, the disturbed area shall be temporarily stabilized in accordance with the E&S Plan and with 25 Pa. Code § 102.22(b). Proper E&S BMPs shall be implemented and maintained throughout the entire project until permanent stabilization and Notice of Termination approval.

XII. LONG-TERM OPERATION AND MAINTENANCE

- A. The permittee or co-permittee shall be responsible for long-term operation and maintenance of PCSM BMPs unless a different person is identified in the NOT and that person has agreed to long-term operation and maintenance of PCSM BMPs.
- B. For any property containing a PCSM BMP, the permittee or co-permittee shall record an instrument with the Recorder of Deeds which will assure disclosure of the PCSM BMP and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance for PCSM BMPs, and provide notice that the responsibility for long-term operation and maintenance of the PCSM BMPs is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees, and provide proof of filing with the NOT under 25 Pa. Code § 102.8(m)(2).
- C. For Commonwealth owned property, a covenant that runs with the land is not required until the transfer of the land containing a PCSM BMP occurs. Upon transfer of the Commonwealth-owned property containing the PCSM BMP, the deed must comply with 25 Pa. Code § 102.8(m)(3). An agency of the federal government shall not be required to make or record a declaration of covenants on its property until transfer of the property to a non-federal or non-commonwealth entity or individual. Upon transfer of the Commonwealth owned or federally owned property containing the PCSM BMP, the deed must comply with 25 Pa. Code § 102.8(m)(3).
- D. The person responsible for performing long-term operation and maintenance may enter into an agreement with another person, including a conservation district, nonprofit organization, municipality, authority, private corporation, or other person, to transfer the responsibility for PCSM BMPs or to perform long-term operation and maintenance and provide notice thereof to DEP.
- E. A permittee or co-permittee that fails to transfer long-term operation and maintenance of the PCSM BMPs or otherwise fails to comply with this requirement, shall remain jointly and severally responsible with the landowner for long-term operation and maintenance of the PCSM BMPs located on the property.
- F. Unless a later date is approved by DEP in writing, the permittee shall record an instrument as required under 25 Pa. Code Subsection 102.8(m)(2) and paragraph XII.B within 45 days from the date of issuance of this permit or authorization. Unless DEP authorizes a different procedure, the long-term operation and maintenance plan shall be recorded along with the instrument. Unless a later date is approved by DEP in writing, the permittee shall provide the conservation district and DEP with the date and place of recording along with a reference to the docket, deed book or other record, within 90 days from the date of issuance of this permit or authorization.
- G. Unless an alternative process is approved by DEP in writing, upon the sale or other transfer of any parcel, lot, road or other real property included within the permit boundary, the permittee shall notify the purchaser, grantee, or transferee of the long-term PCSM BMP operation and maintenance requirements. The permittee

shall expressly identify the PCSM BMPs on each property, the schedule for inspection and reporting, the person or entity responsible for long-term operation and maintenance of the PCSM BMPs and how access to the BMPs will be achieved and shall obtain approval from the purchaser, grantee or transferee. Unless a later date is approved by DEP in writing, the permittee shall provide the conservation district and DEP with notice of compliance with this section within 45 days from the date of transfer of the property and at the time the permittee files a Notice of Termination.

XIII. PRIOR CONTAMINATION

The permittee shall implement the following procedures at any location of the project site where it knows or has reason to believe that soils are or may be contaminated due to past land uses or upon receipt of written notification from DEP:

- A. Minimize Disturbance – Limit the extent and duration of earth disturbance activities, including the use of less intrusive earth disturbance techniques/equipment, and avoiding and minimizing the impact of ancillary areas that are not necessary for the project.
- B. Incorporate a contingency plan and additional safety protocols in the event unexpected contamination is uncovered. These protocols shall be established in the permittee's PPC Plan. Incorporate appropriate dust control and suppression practices and procedures during dry and windy periods.
- C. Implement immediate stabilization on all contaminated areas of the project site involving earth disturbance. This may be achieved using mats/blankets/linings/mulching (including compost); temporary and/or permanent seeding/vegetation; tarping or other impermeable/impervious cover; or temporary daily cover.
- D. Implement and maintain perimeter E&S BMPs including but not limited to compost filter berms, compost filter socks or weighted sediment filter tubes, and/or non-acrylamide flocculants.

XIV. WATER SUPPLY NOTIFICATION

Prior to beginning any construction or earth disturbance activities, all public water supplies or other users of surface waters within one (1) mile downstream that may be affected by turbidity increases or other water quality changes caused by construction or earth disturbance activities shall be notified at least 72 hours prior to commencing the activities.

XV. ARCHAEOLOGICAL SPECIMENS

The permittee shall not begin work in areas subject to Phase I or Phase II archeological investigations recommended by the Pennsylvania Historical and Museum Commission (PHMC) until the permittee secures the necessary clearances for these areas from PHMC. In addition, the permittee and its agents shall visually inspect for archaeological specimens, as the term is defined in the Pennsylvania State History Code (37 Pa. C.S.A., Section 101 *et seq.*), during earth disturbance activities, and shall immediately cease earth disturbance activities upon discovery of archaeological specimens. Upon discovery the permittee shall immediately notify DEP and PHMC (Phone: (717) 783-8947).

XVI. DISCHARGES TO NON-SURFACE WATERS

This permit authorizes proposed discharges of stormwater to non-surface waters. Discharges to areas that are not surface waters shall not cause accelerated erosion or stormwater damage to down slope or adjacent properties. These areas that are not surface waters shall be maintained to prevent erosion from stormwater flows.

XVII. RIPARIAN AREA REPLANTING

Prior to submission of the Notice of Termination, the permittee shall replant forested riparian areas in temporary right of ways along surface waters. Replanting shall be conducted for a minimum distance of fifty (50) feet landward from the top of both banks of warm water fisheries and trout stocked fisheries; 100 feet from cold water fisheries; and 150 feet from HQ/EV streams. The density of replanted trees shall be similar to the density that existed prior to the permittee conducting construction activities but shall provide no less than 60% uniform canopy

cover upon maturation and shall be appropriate to the geographic location. Maintenance and inspections shall ensure survival and growth of plantings and protection from competing plants and animals including noxious weeds and invasive species over a 5-year establishment period to ensure and proper functioning of riparian forest buffers, and shall include measures to repair damage to the buffer from storm events greater than the 2-year/24-hour storm.

XVIII. HABITAT CONSERVATION PLANS AND THREATENED AND ENDANGERED SPECIES PROTECTION

- A. The permittee shall comply with all applicable provisions of the Habitat Conservation Plan submitted and approved by the U.S. Fish and Wildlife Service (USFWS), PA Game Commission (PGC), PA Fish and Boat Commission (PFBC) and PA Department of Conservation and Natural Resources (DCNR) to protect federal and state listed species. The permittee shall provide a copy of the plan to DEP prior to initiation of any work under this permit.
- B. The permittee shall implement the approved Habitat Conservation Plan in accordance with all PGC approvals for the Allegheny Woodrat (*Neotoma magister*). This includes no blasting or the use of herbicides on the project or in the vicinity of the project on DCNR lands as identified in the PGC clearance. The permittee shall provide a copy of the plan to DEP prior to initiation of any work under this permit.
- C. The permittee shall implement the Migratory Bird Conservation Plan approved by the USFWS. The permittee shall provide a copy of the plan to DEP prior to initiation of any work under this permit.
- D. The permittee shall implement all Avoidance Measures identified by the jurisdictional resource agencies for any threatened or endangered species or species of special concern.
- E. Where applicable, the permittee shall implement the Avoidance Measures identified in Appendix A of the Department's permit issued under Chapter 105 for all open trench wetland crossings in bog turtle (*Clemmys mühlenbergii*) counties identified by the USFWS as occupied, potentially occupied or adjacent habitats, unless otherwise specified by the USFWS.
- F. The permittee shall comply with all protocols set forth by the USFWS for protection of the Rusty Patch Bumble Bee.
- G. Prior to conducting any future maintenance activities on the pipeline or right of way which involves disturbance, the permittee shall conduct a then current Pennsylvania Natural Diversity Inventory search, shall obtain clearance(s) for any species or resource where a potential impact is identified, provide the avoidance and mitigation plan to DEP prior to initiating such maintenance work, and shall implement and adhere to all avoidance measures outlined in such clearance(s).



PA STREAM BUFFER TRACKING FORM

Project Contact Person: _____	
Organization: _____	
Email: _____	Phone #: _____
PROJECT IDENTIFICATIONS	
Project Start Date: _____	
Project Name: _____	
Project Address: _____	
County: _____	
Stream Name: _____	
104 Watershed Code: _____	Center of Site Latitude: _____ Longitude: _____
Water Body: <input type="checkbox"/> Stream <input type="checkbox"/> Wetland <input type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Pond <input type="checkbox"/> Dam	
TMDL/Impairment Status of Waterbody: _____	
Water Use Designation: http://www.pacode.com/secure/data/025/chapter93/chap93toc.html	
BUFFER POTENTIAL TO BECOME A MATURE FOREST	
Reason for Buffer: _____	Buffer Permanently Protected: <input type="checkbox"/> Yes <input type="checkbox"/> No
Riparian Forest Buffer Protection Agreement: <input type="checkbox"/> Yes <input type="checkbox"/> No	Protection Status: _____
Condition of Stream Bank: <input type="checkbox"/> Laid Back <input type="checkbox"/> Undercut <input type="checkbox"/> Bare <input type="checkbox"/> Forested <input type="checkbox"/> Needs Work <input type="checkbox"/> Other	
Health of Buffer: <input type="checkbox"/> Poor <input type="checkbox"/> Average <input type="checkbox"/> Good <input type="checkbox"/> Excellent	
State After Project Completion: <input type="checkbox"/> New <input type="checkbox"/> Enhancement <input type="checkbox"/> Existing	
% Canopy Cover (Total Ground Area Shaded by Woody Vegetation): _____	
% of Ground Cover in Buffer – Total Area Covered by Non-Woody Vegetation: _____	
BUFFER CHARACTERISTICS	
Adjacent Land Use: <input type="checkbox"/> Herbaceous/Shrubs <input type="checkbox"/> Farm <input type="checkbox"/> Development <input type="checkbox"/> Forest	
Buffer Type: <input type="checkbox"/> Forest <input type="checkbox"/> Tree/Shrubs <input type="checkbox"/> Grasses <input type="checkbox"/> Fencing Only <input type="checkbox"/> Fencing and Trees	
Buffer Length 1 st Side (Facing Downstream): _____	Buffer Width 1 st Side: _____
Buffer Length 2 nd Side (Facing Downstream): _____	Buffer Width 2 nd Side: _____
Funding Source: _____	

Please return to:

Pa. DEP, Bureau of Conservation and Restoration
PO Box 8555
Harrisburg, PA 17105-8555
Attn: Stream ReLeaf Program
Phone: 717.772.5637
Fax: 717.787.9549



COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF WATERWAYS ENGINEERING AND WETLANDS

OFFICIAL USE ONLY
 PA _____

**TRANSFeree/CO-PERMITTEE APPLICATION FOR A GENERAL OR
 INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES
 ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

TYPE OR PRINT IN BLOCK LETTERS

A. PERMIT INFORMATION

Check here if applying for permit transfer. Check here if applying to be added as a co-permittee.

GENERAL OR INDIVIDUAL NPDES PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES FOR WHICH APPLYING AS TRANSFEREE/CO-PERMITTEE.

PERMIT NO.: _____ DATE ISSUED: _____

B. CURRENT PERMITTEE INFORMATION

DEP Client ID# (if known)		Applicant Type / Code (if known)		
Organization Name or Registered Fictitious Name		Employer ID# (EIN)	Contact Person	
Individual Last Name	First Name	MI	Suffix	
Additional Individual Last Name	First Name	MI	Suffix	
Mailing Address Street				
City	State	ZIP+4	County	Phone

C. SITE INFORMATION

DEP Site ID# (if known) _____ Site Name _____

DEVELOPMENT NAME (IF APPLICABLE): _____

SITE ADDRESS/LOCATION:

COUNTY: _____ MUNICIPALITY: _____

DATE OF TRANSFER OF PERMIT RESPONSIBILITY, COVERAGE AND LIABILITY: _____, 20__

CO-PERMITTEE/TRANSFEREE AGREEMENT: Attach a written agreement signed by all parties involved with the change of operational control. The letter should provide a specific date (not less than 30 days after the date this application is submitted) for the transfer or sharing of permit responsibility, coverage, and liability between the current and new permittee/co-permittee. A **SAMPLE Co-Permittee Agreement** letter and a **SAMPLE Transferee Agreement** letter are attached for reference.

D. TRANSFEREE/CO-PERMITTEE INFORMATION				
DEP Client ID# (if known)	Applicant Type / Code (if known)			
Organization Name or Registered Fictitious Name	Employer ID# (EIN)	Contact Person		
Individual Last Name	First Name	MI	Suffix	
Additional Individual Last Name	First Name	MI	Suffix	
Mailing Address Street				
City	State	ZIP+4	County	Phone
E. COMPLIANCE REVIEW				
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the applicant (owner and/or operator) have or require other environmental permits issued by the Department for this project? If yes, list each permit and the compliance history of the permitted facility or operation.		
Permit Program: _____				
Permit Number: _____				
Brief Description: _____				
Compliance History: _____				
<p style="font-size: small;">If the applicant is not in compliance with any environmental law or regulation, or Department permit, order or schedule of compliance, or has failed and continues to fail to comply, or has shown a lack of ability or intent to comply with environmental laws or regulations or any Department permit, order, or schedule of compliance, as indicated by past or continuing violations, provide a narrative description of how the applicant will achieve compliance including the appropriate milestones.</p>				
F. CERTIFICATION AND SIGNATURE OF APPLICANT				
<p><u>Applicant Certification</u></p> <p>I certify under penalty of law that this application and all related attachments were prepared by me or under my direction or supervision by qualified personnel to properly gather and evaluate the information submitted. Based on my own knowledge and on inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. The responsible official's signature also verifies that the activity is eligible to participate in the General or Individual NPDES Permit, and BMPs and other controls are or will be implemented to ensure that water quality standards and effluent limits are attained. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment or both for knowing violations.</p>				
<p>_____</p> <p style="text-align: center;">Print Name and Title of Person Signing</p>				
<p>() _____</p> <p style="text-align: center;">Telephone Number of Person Signing</p>				
<p>_____</p> <p style="text-align: center;">Signature of Applicant</p>				
<p>_____</p> <p style="text-align: center;">Date of Application Signed</p>				
Notarization:		Commonwealth of Pennsylvania		
Sworn to and Subscribed to Before Me This		County of _____		
_____ Day of _____, 20_____		My Commission Expires: _____		
<p>_____</p> <p style="text-align: center;">Notary Public</p>				

CO-PERMITTEE AGREEMENT ASSUMPTION OF RESPONSIBILITY UNDER A GENERAL OR INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

_____ (Permit Number)
 _____ (Name of Facility/Project)
 _____ (Municipality)
 _____ (County)

The following parties agree to a change in ownership and/or operational control under the above referenced permit effective _____ (date) _____.

_____ (New Co-Permittee name and address) hereby assumes joint and severable responsibility, coverage, and liability under the permit for any obligations, duties, responsibilities and violations under said permit. _____ (Current Permittee) shall remain liable under the permit for violations of the permit conditions up to and including the above referenced date AND until a Notice of Termination is filed and acknowledged by the (Conservation District OR DEP Regional Office).

[The following paragraph should be used for multiple co-permittees.]

Attached is a description of site responsibilities and a map or plan drawing depicting the limits of permit responsibility, coverage, and liability for each co-permittee.

(Current Permittee(s))
 (Company Name, if applicable)

(New Co-permittee(s))

TRANSFeree AGREEMENT ASSUMPTION OF RESPONSIBILITY UNDER A GENERAL OR INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

	(Permit Number)
	(Name of Facility/Project)
	(Municipality)
	(County)

The following parties agree to transfer ownership and/or operational control under the above referenced permit. (Transferee name & address) hereby assumes, effective _____ (date) all responsibility, coverage and liability under the permit for any obligations, duties, responsibilities, and violations under said permit.

_____ (Transferor, Name and Address) shall remain liable under the permit for violations of the permit up to and including _____ (date) AND until the _____ (Conservation District/DEP Regional Office) acknowledges the Co-Permittee/Transferee Form. The Department may hold _____ (transferor) and _____ (transferee) jointly and severably liable under said permit for any breach of permit obligations, responsibilities, or violations.

[The following paragraph should be used for multiple transferees.]

Attached is a description of site responsibilities and a map or plan drawing depicting the limits of permit responsibility, coverage, and liability for each transferee.

(Current Permittee(s))	(Transferee(s))

**INSTRUCTIONS FOR THE
TRANSFeree/CO-PERMITTEE APPLICATION FORM FOR A GENERAL OR INDIVIDUAL NPDES PERMIT
FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

Who may file the Transferee/Co-Permittee Application Form: This form may be used by an applicant seeking to apply for either complete or partial operational control of earth disturbance activities at a site which are already authorized by either an Individual or General NPDES Permit. Federal NPDES Regulations at 40 C.F.R. §122.21(b) require that Operator(s) must become a permittee. An operator is a person who meets either of the following criteria: 1.) You have operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; **OR** 2.) You have day-to-day operational control (supervision) of those activities at the project that are necessary to ensure compliance with the Erosion and Sediment Control Plan for the site or ensure compliance with other permit conditions, i.e., General Contractors. Subcontractors generally do not have supervisory control over earth disturbance activities and therefore usually **should not** become a permittee or co-permittee. If prior to construction activities, there is no operator, the owner must apply for the permit. Once the operator has been selected, the operator must use this application either to be made a co-permittee or to have the permit transferred to the contractor. **Failure of the operator to be added to the permit is a violation of federal and state law and regulation.**

Where to file the Transferee/Co-Permittee Application Form: Send this form to the reviewing entity, either to the local county conservation district that is participating as the reviewing entity or, if the Department is the reviewing entity, to the appropriate DEP Regional Office, Permitting and Technical Services Section.

When to file the Application: This application must be filed at least 30 days prior to the proposed change of ownership and/or operational control which will result in the transfer of permit responsibility, coverage and liability.

Completing the Application: TYPE OR PRINT IN BLOCK LETTERS IN THE APPROPRIATE SPACES

- Section A. Permit Information** - Check the appropriate box and enter the Permit Number and date of issuance of the existing Individual or General NPDES Permit assigned to the construction activity at the site identified in Section C below.
- Section B. Current Permittee Information** - Enter the full name, address and telephone number of the individual or organization and contact person that is the current permittee. The Regional Office can supply the Client ID # and Applicant Code, if known.
- Section C. Site Information** - Enter the DEP Site ID#, site name, site address/location, county and municipality of the site where the construction activity authorized by the NPDES Permit is located. Include the date on which the transfer of Permit responsibility, coverage and liability will occur. The Regional Office can supply the Site ID #.
- Section D. Transferee/Co-Permittee Information** - Enter the full name, address and telephone number of the individual or organization and contact person that is applying to assume operational control of construction activities at the site. The Regional Office can supply the Client ID # and Applicant Code, if known.
- Section E. Compliance Review** - The individual or organization referenced in Section D must indicate if any other environmental permits have been received or are pending from DEP as well as their past compliance history and if they are currently in compliance with environmental laws, rules and regulations, permits, orders and schedules of compliance.
- Section F. Certification and Signature of Applicant** - The new Transferee/Co-Permittee Applicant (named in Section D) must complete the required certification that the information contained in this application is true, accurate, and complete; the BMPs are or will be designed and fully implemented in accordance with the NPDES Permit requirements and will meet the applicable standards and limitations of the permit; and further that the applicant has read, understands and agrees to abide by the terms and conditions of the permit. The application shall be signed as follows:
- a. **For a corporation** -- By a responsible corporate officer, which means: (1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) The manager of one or more manufacturing, production or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. **For a partnership or sole proprietorship** -- By a general partner or the proprietor, respectively; or
 - c. **For a municipality, State, Federal or other public agency** -- by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

The application shall be notarized in the space provided.



VISUAL SITE INSPECTION REPORT

Note: It is a condition of National Pollutant Discharge Elimination System and Erosion and Sediment permits that a maintenance program be conducted to provide for the operation and maintenance of all BMPs to be inspected on a weekly basis and after each stormwater event. Please list in the space provided comments to note if repairs or replacement are needed or have been made for BMPs as a result of the inspection. Failure to conduct the required inspection may result in permit suspension or the imposition of civil penalties. If supplemental monitoring is required as part of a permit condition this form may be used to meet those monitoring requirements.

Project Site Name: _____ Date: _____ Inspection #: _____

Time: _____ Weather: _____

Permit #: _____ Photos Taken: Yes No

Inspector/Title: _____

Municipality(s): _____

County(s): _____

Inspection Type (check one): Weekly Stormwater Event

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| | | Y | N |
| 1. Are the approved (Stamped) E & S plan and PCSM plan present on site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Are there activities occurring outside of the limits of disturbance shown on the plan drawings?
(If yes, notify conservation district and explain.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | |
|---|--------------------------|--------------------------|
| 3. Is Construction Sequence being followed?
(If No, notify conservation district and explain.) | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|

- | | | | | | |
|---|--------------------------|--------------------------|-------|--------------------------|--------------------------|
| 4. E & S BMPs (List BMPs and note if installed and maintained as per the plan.) | Y | N | | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

Were repairs/maintenance/replacement BMPs necessary (if so, describe): _____

5. **Site Conditions** Y N
 Sediment Discharge is occurring to waters or wetlands from earth disturbance activity?
Stabilization of inactive disturbed areas, stockpiles, or at final grade? (exceeding 4 days inactive)
 Are slopes 3:1 and greater stabilized with appropriate BMPs?

6. **PCSM BMPs**
 Are areas intended for PCSM BMPs being protected from compaction?

PCSM BMPs (List BMPs and note if installed and maintained as per the plan.)

	Y	N		Y	N
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Were repairs/maintenance/replacement BMPs necessary (if so, describe): _____

7. Department/Conservation District has been notified within 24 hours of non-compliance, including discharge to waters or wetlands?

8. Identify all remedial measures that have been taken or will be taken on this site.

Inspector's Signature: _____ Date: _____

Company Name: _____

Attach additional sheets for comments/repairs/remedial measures if necessary.



**NOTICE OF TERMINATION FOR
A GENERAL OR INDIVIDUAL NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION ACTIVITIES**

- OR -

AN EROSION AND SEDIMENT CONTROL PERMIT

- OR -

**AN EROSION AND SEDIMENT CONTROL GENERAL PERMIT FOR EARTH DISTURBANCE
ASSOCIATED WITH OIL AND GAS EXPLORATION, PRODUCTION, PROCESSING OR
TREATMENT OPERATIONS OR TRANSMISSION FACILITIES**

Regulatory Requirement: This form serves to fulfill the obligations referenced in 25 Pa. Code §102.7 (related to Permit Termination).

Applicability: A permittee and co-permittee (if co-applicant) presently covered under an Individual National Pollutant Discharge Elimination System (NPDES) Permit for Stormwater Discharges Associated with Construction Activities, the General NPDES Permit for Stormwater Discharges Associated with Construction Activities (PAG-02), an Erosion and Sediment Control Permit (ESCP), or an Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (ESCGP) shall submit this Notice of Termination (NOT) form to the Department of Environmental Protection (Department) or conservation district for permit applications submitted *after November 19, 2010*.

Per 25 Pa. Code §102.7, the NOT form is to be submitted once the following have been achieved: permanent stabilization, per 25 Pa. Code §102.22(a)(2), of earth disturbance activities; removal of all erosion and sediment control best management practices (BMPs) per the approved Erosion and Sediment Control Plan; and, implementation of post construction stormwater management (PCSM) BMPs per the approved PCSM Plan or site restoration/reclamation via the approved Reclamation/Restoration Plan.

A copy of the project's record drawings/as-builts shall be attached to this NOT. The permittee shall retain a copy of the record drawings/as-builts and shall also provide a copy, as part of the approved PCSM Plan, to the person(s) identified in Appendix B, as being responsible for the long-term operation and maintenance of the PCSM BMP(s). Additional copies of this NOT and record drawings/as-builts shall also be provided to the local municipality.

1.	PERMIT INFORMATION: Permit No.: _____												
2.	EARTH DISTURBANCE SITE LOCATION: Facility/Development Name: _____ Address: _____ Municipality: _____ County: _____ Latitude: ____° / ____' / ____" Longitude: ____° / ____' / ____" U.S.G.S. Quad Map Name: _____												
3.	PERMITTEE/CO-PERMITTEE INFORMATION: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center; vertical-align: top;">PERMITTEE</td> <td style="width: 50%; text-align: center; vertical-align: top;">CO-PERMITTEE (if co-applicant)</td> </tr> <tr> <td>Name: _____</td> <td>Name: _____</td> </tr> <tr> <td>Address: _____</td> <td>Address: _____</td> </tr> <tr> <td>City: _____</td> <td>City: _____</td> </tr> <tr> <td>State: _____ Zip Code: _____</td> <td>State: _____ Zip Code: _____</td> </tr> <tr> <td>Telephone Number: _____</td> <td>Telephone Number: _____</td> </tr> </table>	PERMITTEE	CO-PERMITTEE (if co-applicant)	Name: _____	Name: _____	Address: _____	Address: _____	City: _____	City: _____	State: _____ Zip Code: _____	State: _____ Zip Code: _____	Telephone Number: _____	Telephone Number: _____
PERMITTEE	CO-PERMITTEE (if co-applicant)												
Name: _____	Name: _____												
Address: _____	Address: _____												
City: _____	City: _____												
State: _____ Zip Code: _____	State: _____ Zip Code: _____												
Telephone Number: _____	Telephone Number: _____												
4.	LONG-TERM OPERATION AND MAINTANENCE AND RESTORATION/RECLAMATION: This project involves: (check the appropriate box) <input type="checkbox"/> - Installation and subsequent long-term operation and maintenance of PCSM BMPs. OR <input type="checkbox"/> - Restoration or reclamation activities per 25 Pa. Code §102.8(n). <i>Note: For projects solely involving restoration or reclamation activities, proceed to Section 7.</i>												
5.	FINAL CERTIFICATION OF LICENSED PROFESSIONAL: This section is to be completed by a licensed professional as defined in 25 Pa. Code §102.1. <i>I, _____, do hereby certify pursuant to the penalties of 18 Pa. C.S.A. § 4904 to the best of my knowledge, information and belief, that the accompanying record drawings accurately reflect the as-built conditions, are true and correct, and are in conformance with Chapter 102 of the rules and regulations of the Department of Environmental Protection and that the project site was constructed in accordance with the approved PCSM Plan, all approved plan changes and accepted construction practices.</i> Name and Official Title of Licensed Professional _____ _____ Signature: _____ <div style="float: right; text-align: right; margin-top: 20px;"> Licensed Professional Seal </div>												

6. **PROOF OF INSTRUMENT FILING WITH THE RECORDER OF DEEDS OFFICE:**

Per 25 Pa. Code §102.8(m)(2), the instrument will assure disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP(s), provide for the necessary access related to long-term operation and maintenance of the PCSM BMP(s) and provide notice that the responsibility for long-term operation and maintenance of the PCSM BMP(s) is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees.

For either Commonwealth or federally-owned property, a covenant that runs with the land is not required until the transfer of the land containing the PCSM BMP(s) occurs. Upon said transfer, the deed must then comply with 25 Pa. Code § 102.8(m)(2).

a. *Is the project on Commonwealth or federally-owned property?* Yes No

If the answer to question a., above, is Yes, proceed to Section 7. If the project is not on Commonwealth or federally-owned property, continue with this Section and attach copies of the notice provided to all landowners who have bought or accepted ownership or other legal responsibility for parcels containing PCSM BMPs. In addition, as required by 25 Pa. Code §102.7 (b)(5), a copy of the completed, signed, and notarized PCSM Instrument Filing Notice (DEP form # 3150-PM-BWEW0556, as amended) and a copy of the Recorder of Deeds Office receipt must be attached to this NOT as proof of instrument filing along with completed Appendices A and B. If a PCSM Instrument Filing Notice (DEP form # 3150-PM-BWEW0556, as amended) was not utilized to record the required documents, attach the entire package of recorded documents to this NOT as proof of instrument filing along with completed Appendices A and B.

I certify, under penalty of law, that I have recorded an instrument with the Recorder of Deeds Office which will assure disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property, and which meets the requirements of 25 Pa. Code §102.8(m)(2).

Name and Official Title of person listed under Section 3:

Signature: _____

7. Permit Termination Certification:

This Section is to be completed by the person listed in Section 3 and, when applicable, Section 6.

I, _____, certify under penalty of law that permanent stabilization, under 25 Pa. Code §102.22(a)(2), of the earth disturbance activities has occurred and either the installation of BMPs in accordance with an approved plan prepared and implemented per §§ 102.4 and 102.8 (relating to erosion and sediment control requirements; and PCSM requirements) has occurred or all approved restoration/reclamation activities have been completed. I understand that by submitting this NOT, I am no longer authorized to conduct earth disturbance activities under the referenced permit and that discharging stormwater from earth disturbance activities to waters of the Commonwealth is unlawful where the discharge is not authorized by a permit. I also understand that the submittal of this NOT does not release a permittee or co-permittee from liability for any violations of the permit, the federal Clean Water Act (if applicable), the Pennsylvania Clean Streams Law and the rules and regulations promulgated thereunder, or from liability for any environmental damages occurring as a result of any earth disturbance activities conducted at the site. I understand that there are significant penalties for submitting false information, including possible fines and imprisonment for knowing violations.

Individual; proceed to signature portion.

I hereby certify that I am the signatory pursuant to 25 Pa. Code § 92a.22 and 40 CFR §122.22 and that I am the person who is responsible for decision-making regarding environmental compliance functions for Enter Entity name, the manager of one or more manufacturing, production, or operating facilities of the permittee and am authorized to make management decisions which govern the operation of regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure the permittee's long term environmental compliance with environmental laws and regulations.

(choose one of the following; not applicable for individuals):

- The responsible corporate officer president vice president secretary
- treasure of _____ Corporation/Company
Entity name
- The member or manager of _____ LLC
Entity name
- The general partner of _____ partnership/LP/LLP
Entity name
- The principal executive officer or ranking elected official of _____ Municipality/State/Federal/other public agency
Entity name
- Power of Attorney/delegation of contractual authority (documentation supporting delegation of contracting authority must be provided) for _____
Entity name

SIGNATURES

Permittee

Co-Permittee (if Co-Applicant)

Print Name and Title of Person Signing

Print Name and Title of Person Signing

Signature of Permittee

Signature of Co-Permittee

Date Signed

Date Signed

Acknowledgement:

Commonwealth of Pennsylvania

County of _____

On this, the _____ day of _____, 20____, before me, a Notary Public, personally appeared _____, having a title of _____ within the business entity of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY SEAL

_____ My Commission Expires: _____

Notary Public

APPENDIX A
Summary Table of Installed PCSM BMPS

Check all applicable PCSM BMPS that have been installed or will be implemented as part of the approved PCSM Plan along with their associated function(s).

Note: VC = Volume Control, RC = Rate Control and WQ = Water Quality

BMP	Function(s)						No. of BMPS	Total Acres Treated	Total Volume Treated
	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Wet Ponds	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Constructed Wetlands	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Retention Basins	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Detention Basins	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC					
<input type="checkbox"/> Underground Detention	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC					
<input type="checkbox"/> Dry Extended Detention Basin	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC					
<input type="checkbox"/> Sediment Fore Bay	<input type="checkbox"/>	VC			<input type="checkbox"/>	WQ			
<input type="checkbox"/> Infiltration Trench	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Infiltration Berm/Retentive Grading	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Subsurface Infiltration Bed	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Infiltration Basin	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Pervious Pavement	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Dry Well/Seepage Pit	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Bio-Infiltration Areas	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Rain Gardens/Bio-Retention	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Vegetated Swales	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Constructed Filters	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Protect Sensitive & Special Value Features	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Protect/Convert/Establish Riparian Buffers	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Restoration: Buffers/Landscape/Floodplain	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Disconnection From Storm Sewers	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Rooftop Disconnections	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Vegetated Roofs	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Runoff Capture/Reuse	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Oil/Grit Separators					<input type="checkbox"/>	WQ			
<input type="checkbox"/> Water Quality Inserts/Inlets					<input type="checkbox"/>	WQ			
<input type="checkbox"/> Street Sweeping					<input type="checkbox"/>	WQ			
<input type="checkbox"/> Soil Amendment/Soil Restoration	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			
<input type="checkbox"/> Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ			

APPENDIX B

Person(s) Responsible for Long-Term Operation and Maintenance of PCSM BMPs:

Statement: I understand and agree with the long-term operation and maintenance responsibilities outlined in the new property owner notification form or other landowner notice and as they apply to the PCSM BMP(s) on the property I am purchasing.

Name	Signature	Phone #	Address	Responsible for the Following PCSM BMPs	Location, including Latitude and Longitude, of each PCSM BMP

Attach additional Appendix B Forms as needed.

**NOTICE OF TERMINATION ("NOT") COMPLETENESS REVIEW
AND FIELDWORK CHECKLIST FOR
POST-NOVEMBER 19, 2010, PERMIT SUBMISSIONS**

Facility/Development Name: _____ Permit No.: _____

Check-Off: C = Complete, NC = Not Complete

Paperwork Requirements:

NON-COMMONWEALTH/NON-FEDERAL PROPERTY			
Permittee Included	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Sections 1-7 of the NOT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Record Drawings/As-Builts
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of Recorder of Deeds Office Receipt for Instrument Filing
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of the PCSM Instrument Filing Notice (DEP form # 3150-PM-BWEW0556, as amended), <u>or</u> the entire package of recorded documents
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of Landowner Notices
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Appendices A and B
COMMONWEALTH/FEDERAL PROPERTY			
Permittee Included	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Sections 1-6(a) and 7 of the NOT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Record Drawings/As-Builts
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Appendix A
RESTORATION/RECLAMATION ACTIVITY			
Permittee Included	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Sections 1-4 and 7 of the NOT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Record Drawings/As-Builts or PCSM Plan/Restoration Plan*

*PCSM Plan/Restoration Plan may be acceptable for restoration/reclamation sites.

Fieldwork Requirements:

FIELD INSPECTION (Required for permit termination)			
Permittee Addressed	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permanent Stabilization per 25 Pa. Code §102.22 (a)(2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Removal of E&S BMPs per 25 Pa. Code §102.4 and approved permit
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Installation of PCSM BMPs per 25 Pa. Code §102.8 and approved permit

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Determination: Approve Deny

Inspection Report No: _____

Reviewer Name: _____

Date: _____